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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

GORTAYO, DANGELINO N

ART UNIT	PAPER NUMBER
2168	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/629,226	Applicant(s) HAEBERLE ET AL.	
	Examiner Dangelino N. Gortayo	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- * 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 and 3-23 are pending.
2. This Office Action is a response to Applicant's Amendment filed 6/13/2006.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-10, 12-21, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kalantar et al. ("Kalantar" Us # 6,954,737 B2).

As per claim 1, Kalantar teaches "A computer implemented method for retrieving information relating to service contracts for a plurality of building sites:" (see Abstract)

"providing a web portal comprising a database, and storing information about a plurality of service contracts for a plurality of building sites in said database;" (Figure 1 reference 140, column 6 lines 48-64, and column 9 lines 3-5 wherein a central management server is coupled with a database and provides service information about a remote facility or several facilities).

“receiving a request from one or more clients to retrieve from said database information about service contracts for an selected individual building site;” (column 22 lines 40-67, wherein an EMI unit sends a request, which includes user authorization, for the central management server to process, to view service information)

“determining a plurality of service contracts that are implicated by said request;” (column 12 lines 39-48, wherein the request is processed to determine which services are called)

“and communicating said service contract information to a client.” (Figures 12-21 and column 24 lines 48-65, wherein the information is transmitted to an EMI client)

As per claim 3, Kalantar teaches “said information further comprises service contract information about the type of building system a service contract pertains to.” (column 10 lines 43-51, wherein the information to be transmitted includes a facility id, which identifies the building system for the tasks to be performed).

As per claim 4, Kalantar teaches “said service contract information further comprises information about the type of equipment covered under the service contract.” (column 11 lines 34-44, wherein facility records in the database identifies tasks to be performed, identifying equipment for which tasks should be performed).

As per claim 5, Kalantar teaches “receiving a request from a client for information about the service history for a service contract,” (column 32 lines 58-64, wherein the central management server receives a request from an EMI client that includes work status update reports, including service history) “and communicating said service

Art Unit: 2168

contract information for a service contract to the client” (column 33 lines 7-17, wherein the central management server sends back the requested information to the EMI client).

As per claim 6, Kalantar teaches “receiving a request from a client to provide further information about an individual service activity,” (column 33 lines 25-40, wherein a central management server receives a request including a task identifier for individual tasks to be completed) “and communicating said information about an individual service activity to the client.” (column 33 lines 7-17, wherein the central management server sends back the requested information to the EMI client).

As per claim 7, Kalantar teaches “communicating further about the type of system said service contracts pertain to a client.” (column 13 lines 57-65, wherein the central management server can send to an EMI client task icons related to the type of facility it is being sent to).

As per claim 8, Kalantar teaches “communicating further information to a client about the type of equipment said service contracts pertain to.” (column 14 lines 5-23, wherein the information sent is pre-determined by the request and the type of service called for, including the equipment needed to complete the task).

As per claim 9, Kalantar teaches “communicating further information about the status of the said service contracts.” (column 32 lines 25-43, wherein the central management server sends task status information and is analogous).

As per claim 10, Kalantar teaches “communicating information about one or more building sites covered under a service contract to a client.” (column 16 line 56 – column

17 line 4, wherein information includes data stored in the EMI locally, specific to the facility it is in).

As per claim 12, Kalantar teaches “the type of building system is selected from the group comprising HVAC systems, fire safety systems and mechanical systems” (column 41 line 63 – column 42 line 5, wherein tasks for maintenance of mechanical systems and equipment are tracked)

As per claim 13, Kalantar teaches “A computer implemented method for retrieving information relating to service contracts for a plurality of building sites:” (see Abstract)

“providing a web portal comprising a database, and storing information about a plurality of service contracts for a plurality of building sites in said database;” (Figure 1 reference 140, column 6 lines 48-64, and column 9 lines 3-5 wherein a central management server is coupled with a database and provides service information about a remote facility or several facilities).

“receiving a request from one or more clients to retrieve from said database information about service contracts for a selected individual building site for a plurality of different types of building systems;” (column 22 lines 40-67 and column 41 lines 43-63, wherein an EMI unit sends a request, which includes user authorization, for the central management server to process, to view service information and designate different tasks involving facility maintenance based on the Role ID of the user)

Art Unit: 2168

“determining one or more service contracts that are implicated by said request;” (column 12 lines 39-48, wherein the request is processed to determine which services are called)

“and communicating said service contract information to a client.” (Figures 12-21 and column 24 lines 48-65, wherein the information is transmitted to an EMI client).

As per claim 14, Kalantar teaches “receiving a user request to retrieve information about service contracts for an individual building site,” (column 32 lines 11-24, wherein a user request is received by the central management system for a work schedule, which shows services to be performed at specific times) “and communicating said information about service contracts for an individual building site to a client.” (column 24 lines 48-65, wherein the information is transmitted to an EMI client).

As per claim 15, Kalantar teaches “said service contract information further comprises information about the type of equipment covered under the service contract.” (column 11 lines 34-44, wherein facility records in the database identifies tasks to be performed, identifying equipment for which tasks should be performed).

As per claim 16, Kalantar teaches “receiving a request from a client for information about the service history for a service contract,” (column 32 lines 58-64, wherein the central management server receives a request from an EMI client that includes work status update reports, including service history) “and communicating said service contract information for a service contract to the client” (column 33 lines 7-17, wherein the central management server sends back the requested information to the EMI client).

As per claim 17, Kalantar teaches “receiving a request from a client to provide further information about an individual service activity,” (column 33 lines 25-40, wherein a central management server receives a request including a task identifier for individual tasks to be completed) “and communicating said information about an individual service activity to the client.” (column 33 lines 7-17, wherein the central management server sends back the requested information to the EMI client).

As per claim 18, Kalantar teaches “communicating said service contracts information according to the type of building system the contract pertains to” (column 13 lines 57-65 and column 41 lines 43-63, wherein the central management server can send to an EMI client task icons related to the type of facility it is being sent to and designate different tasks involving facility maintenance based on the Role ID of the user).

As per claim 19, Kalantar teaches “communicating said service contract information according to the type of equipment said service contracts pertain to.” (column 14 lines 5-23, wherein the information sent is pre-determined by the request and the type of service called for, including the equipment needed to complete the task).

As per claim 20, Kalantar teaches “communicating said service contract information according to the status of the service contracts.” (column 32 lines 25-43, wherein the central management server sends task status information and is analogous).

As per claim 21, Kalantar teaches “communicating information about one or more building sites covered under a service contract to a client.” (column 16 line 56 – column

Art Unit: 2168

17 line 4, wherein information includes data stored in the EMI locally, specific to the facility it is in).

As per claim 23, Kalantar teaches “the type of building system is selected from the group comprising HVAC systems, fire safety systems and mechanical systems” (column 41 line 63 – column 42 line 5, wherein tasks for maintenance of mechanical systems and equipment are tracked)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalantar et al. (“Kalantar” Us # 6,954,737 B2) in view of Duenke (“Duenke” US Pub No. 2002/00264343 A1)

As per claim 11, Kalantar teaches “receiving a request” (column 22 lines 40-67, wherein the central management server receives a request from an EMI client).

Kalantar does not expressly teach “to retrieve a technical diagram about a piece of equipment covered under a service agreement and transmitting said technical diagram to a client.”

Duenke teaches “to retrieve a technical diagram about a piece of equipment covered under a service agreement and transmitting said technical diagram to a client.” (Figure 12 and block [0063], wherein a technical diagram about equipment is retrieved and shown on a display from a client computer pulled from a central database server).

It would have been obvious at the time of the invention for one of ordinary skill in the art to combine Kalantar’s method of retrieving service information from a work management network with Duenke’s method of retrieving a technical diagram about a piece of equipment. This gives the user of a work management and maintenance network the added capability of viewing technical diagrams to identify problems. The motivation for doing so would be to provide an individual with graphical illustration when using a work-related system.

As per claim 22, Kalantar teaches “receiving a request” (column 22 lines 40-67, wherein the central management server receives a request from an EMI client). Kalantar does not expressly teach “to retrieve a technical diagram about a piece of equipment covered under a service agreement and transmitting said technical diagram to a client.”

Duenke teaches “to retrieve a technical diagram about a piece of equipment covered under a service agreement and transmitting said technical diagram to a client.” (Figure 12 and block [0063], wherein a technical diagram about equipment is retrieved and shown on a display from a client computer pulled from a central database server).

It would have been obvious at the time of the invention for one of ordinary skill in the art to combine Kalantar's method of retrieving service information from a work management network with Duenke's method of retrieving a technical diagram about a piece of equipment. This gives the user of a work management and maintenance network the added capability of viewing technical diagrams to identify problems. The motivation for doing so would be to provide an individual with graphical illustration when using a work-related system.

Response to Arguments

7. Applicant's amendment, see page 9, filed 6/13/2006, with respect to the Abstract have been fully considered and are persuasive. The objection to the Abstract has been withdrawn.
8. Applicant's argument, see page 10, filed 6/13/2006, with respect to the Double Patenting rejection have been fully considered and are persuasive. The Double Patenting rejection has been withdrawn.
9. Applicant's argument, see page 10, filed 6/13/2006, with respect to the rejection of claims 1-11 under 35 USC 112, second paragraph have been fully considered and are persuasive. The rejection in regards to 35 USC 112, 2nd has been withdrawn.
10. Applicant's argument, see page 10, filed 6/13/2006, with respect to the rejection of claims 1-10 under 35 USC 102(e) have been fully considered but they are not persuasive.

a. Applicant's argument is stated as "the Kalantar reference does not teach retrieving service information from a selected building site from a plurality of building sites."

In response to the argument, Examiner respectfully disagrees. As stated in the above 102(e) rejection, Kalantar teaches retrieving service information from a selected building site from a plurality of building sites (Figure 1, column 6 lines 48-64, and column 9 lines 3-5). Kalantar teaches that a server can retrieve information about remote facilities or several facilities through network means, with the server coupled to a database maintaining data on the maintenance and servicing of facilities. The management server also collects completion status data of services to determine the status of a service task. Accordingly, Kalantar teaches "retrieving service information from a selected building site from a plurality of building sites".

b. Applicant's argument is stated as "Claim 13 includes similar subject matter as claim 1, but further includes the limitation that information can be provided from a group of building systems at an individual building site."

In response to the argument, Examiner respectfully disagrees. As stated in the 102(e) rejection of claim 13 above, Kalantar teaches that the information can be provided from a group of building systems at an individual building site (Figure 16 and column 41 lines 43-62). Kalantar teaches that different sections of a facility are separated and assigned section-specific tasks, which can change depending on the Role ID of the user. The maintenance and service tasks for

each section are for different sections of the facility. Accordingly, Kalantar teaches “the limitation that information can be provided from a group of building systems at an individual building site”.

c. Applicant’s argument is stated as “dependent claims 12 and 23 include further limitations wherein building systems from which information is provided are selected from the group comprising fire, HVAC and mechanical systems.”

In response to the argument, Examiner respectfully disagrees. As stated in the 102(e) rejections of claims 12 and 23, Kalantar teaches the facility requires tasks for maintenance of mechanical systems and equipment located in different sections of the facility (column 41 line 63 – column 42 line 5). The facility is split into sections, wherein tasks are assigned based on location and specific data as assigned by a server. Accordingly, Kalantar teaches “building systems from which information is provided are selected from the group comprising fire, HVAC and mechanical systems”.

11. Applicant’s argument, see page 12, filed 6/13/2006, with respect to the rejection of claim 11 under 35 USC 103(a) have been fully considered but they are not persuasive.

d. Applicant’s argument is stated as “Claim 11 depends from and incorporates all of the limitations of claim 1.”

In response to this argument, the examiner directs the applicant to the 102(e) rejection for claim 1 above and the 103(a) rejection for claim 11 above and is similarly rejected. The same argument above is applied to claim 22.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo
Examiner

Tim T. Vo
SPE



TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100